

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

THE SEQUOIA PRESIDENTIAL
YACHT GROUP, LLC and GARY
SILVERSMITH,

Plaintiffs/
Counterclaim-Defendants,

v.

C.A. No. 8270-VCG

FE PARTNERS, LLC,

Defendant/
Counterclaim-Plaintiff.

AFFIDAVIT E. STANLEY MURPHY, ESQ.

The affiant, E. Stanley Murphy, after being duly sworn, deposes and says as follows:

1. I am the litigation partner with Dunton, Simmons and Dunton, LLP (Sometimes, "DSD"), a law firm located in White Stone, Virginia, approximately 15 miles from the current location of the motor vessel *Sequoia*. My business address is 678 Rappahannock Drive, White Stone, Virginia 22578. My business telephone number is (804) 435-4000

2. Commencing in February 2015 and continuing to the present I have advised Defendant FE Partners, LLC ("FE Partners") in this action regarding a variety of litigation related matters pertaining to *Sequoia*.

3. Dunton, Simmons & Dunton, LLP has extensive experience in maritime litigation and Virginia civil trial practice generally. Our firm is 85 years old and has

litigated maritime cases in various state and federal courts, including the United States Supreme Court.

4. I have practiced law for 33 years at every level of state and federal courts, serving Virginia, including trial courts, the Virginia Supreme Court, the Fourth Circuit Court of Appeals, and the Supreme Court of the United States.

5. I also have extensive trial and appellate experience in federal transportation matters in approximately 23 states other than Virginia, including courts in New York, New Jersey, Pennsylvania, Maryland, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Kentucky, Tennessee, Ohio, Indiana, Missouri, California and the District of Columbia. I have tried over 175 jury trial as lead counsel.

6. Subsequent to the August 29, 2013 Default Judgment Order of this Court, my law firm provided legal services to FE Partners relating to, among other things, lien claims of the yard where *Sequoia* currently is stored, strategies for preservation and protection of the *Sequoia*, evaluation of the railway where the vessel was hauled, risk remediation and security of the vessel, negotiations with the yard in an effort to have the vessel repaired and refloated, and general support of litigation in this Court. I also have provided state specific advice to FE Partners regarding litigation options and strategies in Virginia.

7. I have been the primary DSD attorney who has provided services to FE Partners. My hourly rate charged to FE Partners has been \$300.00. Since the inception of this representation, my rate has increased to \$350.00 per hour but I have not passed along this increase to FE Partners. I have been assisted in this case by Wesley M. Charlton, an

associate attorney, whose rate is \$250.00 per hour. Mr. Charlton is a junior attorney with approximately three years of experience who has been assigned limited responsibilities within his level of expertise.

8. I personally prepared and reviewed each legal bill that has been rendered to FE Partners.

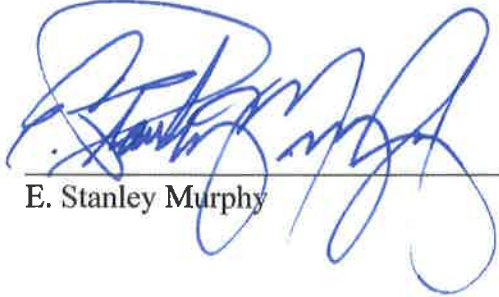
9. Our legal bills were reviewed for reasonableness prior to being issued and in any cases bills have been discounted to avoid charging FE Partners for inefficiencies or duplicative efforts created by the nature of this litigation.

10. A complete set of DSD's legal bills is attached collectively as "Exhibit A." It is my practice to provide a detailed description of legal services for each time entry. In order to avoid revelation of attorney-client communication, specific case strategies, and work product, I have redacted the actual description of services from these bills. I affirm however that all entries were supported by a description of work actually performed that was necessary to protect the interests of FE Partners in the area of my legal responsibilities. Unredacted bills are available for the Court's review if requested.

11. The charges for work provided for my work were reasonable in light of my years of experience, the discounts that have been applied, and customary charges by attorneys of my experience and expertise in this locality. So too were charges for Mr. Charlton's work, which also reflect prevailing rates and charges for attorneys of his experience and expertise in our geographic area. The charges by Mr. Charlton and me reflect the time and labor actually required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly.

12. I have again reviewed all of our law firm's bills in connection the fee application of FE Partners. I affirm that these charges, totaling \$16,473.76, are all customary and reasonable for the legal services provided.


13. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.


E. Stanley Murphy

COMMONWEALTH OF VIRGINIA:

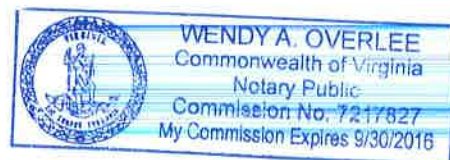
COUNTY OF LANCASTER : to-wit;

Sworn to and subscribed before me, a Notary Public for the state and county aforesaid on this 19th day of April, 2016.


Notary Public

Notary Registration Number: 7217827

My commission expires: 9-30-16



LAW OFFICES
DUNTON, SIMMONS & DUNTON, L.L.P.
678 RAPPAHANNOCK DRIVE
POST OFFICE BOX 5
WHITE STONE, VIRGINIA 22578-0005

TELEPHONE:
(804) 435-4000
(800) 435-1611

FACSIMILE
(804) 435-1614

March 13, 2015

FE Partners, LLC
c/o Michael Cantor
1250 24th Street NW, Suite 350
Washington, DC 20037

STATEMENT

In Reference To: **FE Partners, LLC v. The Sequoia Presidential Yacht Group and
Chesapeake Boat Works**

Professional Services:

	<u>Hours</u>	<u>Amount</u>
2/13/2015 ESM	6.50	\$1,950.00
2/14/2015 ESM	1.00	\$300.00
2/16/2015 ESM	3.00	\$900.00
2/17/2015 ESM	3.50	\$1,050.00
2/18/2015 ESM	5.00	\$1,500.00
2/19/2015 ESM	0.30	\$90.00
ESM	1.30	\$390.00
ESM	3.40	\$1,020.00
2/20/2015 ESM	2.30	\$690.00
ESM	2.10	\$630.00
ESM	0.70	\$210.00
2/21/2015 ESM	0.50	\$150.00

EXHIBIT A

FE Partners, LLC
 c/o Michael Cantor
 1250 24th Street NW, Suite 350
 Washington, DC 20037

Page 2

	<u>Hours</u>	<u>Amount</u>
2/21/2015 ESM	0.80	\$240.00
ESM	2.50	\$750.00
2/23/2015 ESM	1.20	\$360.00
2/24/2015 ESM	1.00	\$300.00
2/27/2015 ESM	1.80	\$540.00
3/3/2015 ESM	0.60	\$180.00
3/4/2015 ESM	0.60	\$180.00
3/6/2015 ESM	0.40	\$120.00
For professional services rendered	38.50	\$11,550.00

Additional Costs :

2/16/2015 Postage = \$6.48		
File Opening Fee = \$25.00		
2/18/2015 Postage = \$21.59		
2/23/2015 Postage = \$6.69		
Total costs		\$59.76
Total amount of this bill		\$11,609.76
<u>Balance due</u>		<u>\$11,609.76</u>

Professional Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
E. Stanley Murphy	38.50	300.00	\$11,550.00

LAW OFFICES
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March 31, 2015

FE Partners, LLC
 c/o Michael Cantor
 1250 24th Street NW, Suite 350
 Washington, DC 20037

STATEMENT

In Reference To: **FE Partners, LLC v. The Sequoia Presidential Yacht Group and
 Chesapeake Boat Works**

Professional Services:

	Hours	Amount
3/13/2015 ESM	0.20	\$60.00
3/18/2015 ESM	1.00	\$300.00
ESM	0.20	\$60.00
3/19/2015 ESM	0.40	\$120.00
ESM	0.60	\$180.00
ESM	0.20	\$60.00
3/23/2015 ESM	0.60	\$180.00
ESM	3.00	\$900.00
ESM	1.00	\$300.00
3/24/2015 ESM	0.10	\$30.00
3/25/2015 ESM	0.60	\$180.00
For professional services rendered	7.90	\$2,370.00
Previous balance		\$11,609.76
3/30/2015 Payment from Client Funds of partial balance due, previous bill dated 3/13/15		(\$10,000.00)
Total payments and adjustments		(\$10,000.00)
<u>Balance due</u>		\$3,979.76

Professional Summary

Name	Hours	Rate	Amount
E. Stanley Murphy	7.90	300.00	\$2,370.00

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FE Partners, LLC
c/o Michael Cantor
1250 24th Street NW, Suite 350
Washington, DC 20037

Page 2

Amount

Client Funds Transactions:

Previous balance of Client Funds	\$0.00
3/19/2015 Wire transfer received from FE Partners, LLC	\$10,000.00
3/30/2015 Payment from Client Funds of partial balance due, bill dated 3/13/15	<u>(\$10,000.00)</u>
New balance of Client Funds	<u>\$0.00</u>

LAW OFFICES
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TELEPHONE:
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(804) 435-1614

December 07, 2015

FE Partners, LLC
c/o Michael Cantor
1250 24th Street NW, Suite 350
Washington, DC 20037

STATEMENT

In Reference To: **FE Partners, LLC v. The Sequoia Presidential Yacht Group and
Chesapeake Boat Works**

Professional Services:

	<u>Hours</u>	<u>Amount</u>
4/7/2015 ESM	1.30	\$390.00
4/8/2015 ESM	0.60	\$180.00
10/5/2015 ESM	0.30	\$90.00
10/27/2015 ESM	0.20	\$60.00
10/28/2015 ESM	0.30	\$90.00
For professional services rendered	2.70	\$810.00
Previous balance		\$3,979.76
<u>Balance due</u>		<u>\$4,789.76</u>

Professional Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
E. Stanley Murphy	0.80	300.00	\$240.00
E. Stanley Murphy	1.90	300.00	\$570.00

LAW OFFICES
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(800) 435-1611

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(804) 435-1614

April 19, 2016

FE Partners, LLC
c/o Michael Cantor
1250 24th Street NW, Suite 300
Washington, DC 20037

STATEMENT

In Reference To: FE Partners, LLC v. The Sequoia Presidential Yacht Group and
Chesapeake Boat Works

Professional Services:

	<u>Hours</u>	<u>Amount</u>
1/20/2016 ESM	0.20	\$60.00
2/2/2016 ESM	0.30	\$90.00
2/3/2016 ESM	2.00	\$600.00
2/4/2016 ESM	0.10	\$30.00
3/2/2016 ESM	0.40	\$120.00
3/24/2016 ESM	0.70	\$210.00
ESM	0.40	\$120.00
3/28/2016 WMC	1.00	\$250.00
3/29/2016 ESM	0.30	\$90.00
3/30/2016 WMC	0.30	\$75.00

For professional services rendered

5.70 \$1,645.00

Additional Costs :

3/25/2016 Clerk, Circuit Court, Middlesex County; \$39.00

Total costs

\$39.00

Total amount of this bill

\$1,684.00

Previous balance

\$4,789.76

Balance due

\$6,473.76

FE Partners, LLC
c/o Michael Cantor
1250 24th Street NW, Suite 300
Washington, DC 20037

Page 2

Professional Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
E. Stanley Murphy	4.40	300.00	\$1,320.00
Wesley M. Charlton	1.30	250.00	\$325.00